

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
DOCKET NO. 1:16-cr-00116-MOC-DLH

UNITED STATES OF AMERICA, )  
                                  )  
                                  )  
                                  )  
                                  )  
Vs.                            )  
                                  )  
                                  )  
SETH WILLIS PICKERING, )  
                                  )  
                                  )  
Defendant.                  )

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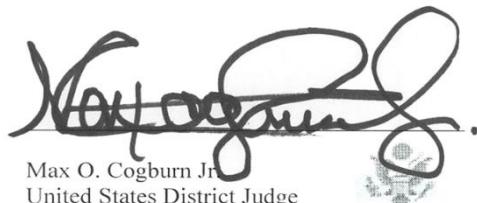
**THIS MATTER** is before the Court on defendant's request for appointment of a second attorney in a capital case made in accordance with 18 U.S.C. § 3005 at Arraignment. When charged with a capital offense, a defendant has the right to the appointment of two attorneys, United States v. Boone, 245 F.3d 352, 359 (4th Cir. 2001), one of whom is sufficiently experienced in providing representation in death penalty eligible offenses. Having reviewed the qualifications of a panel of Learned Counsel in consultation with the Federal Death Penalty Resource Counsel Project, as provided in Section 3005, and having concluded that S. Frederick Winiker, III of the Mecklenburg County Bar and the Bar of this Court is an experienced practitioner qualified to be Learned Counsel, the following Order is entered.

**ORDER**

**IT IS, THEREFORE, ORDERED** that defendant's request for appointment of counsel is **GRANTED**, and S. Frederick Winiker, III is **APPOINTED** as Learned Counsel to represent defendant in this matter. Recognizing the importance of putting together a defense team (as the Court has in other death-eligible cases), Learned Counsel is granted leave to petition the Court for

substitution of interim second chair counsel if necessary, all in consultation with Federal Death  
Penalty Resource Counsel.

Signed: October 18, 2016



A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.". The signature is fluid and cursive, with a small black horizontal line through the middle of the "O" in "Cogburn".

Max O. Cogburn Jr.  
United States District Judge